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1049/019

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1. Article Addressed to: STEPHEN POWELL CHIMNEY ROCK CORP PO BOX 253 CASTLE DALE UT 84513		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number: 4002 11/19/04		5. Return Receipt: 016 8896 0419	

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7099 3400 0016 8896 0419



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CHIMNEY ROCK CORP
PO BOX 253
CASTLE DALE UT 84513





State of Utah

Department of Natural Resources

ROBERT L. MORGAN
Executive Director

Division of Oil, Gas & Mining

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

November 19, 2004

CERTIFIED RETURN RECEIPT 7099 3400 0016 8896 0419

Stephen Powell
Chimney Rock Corporation
P.O. Box 253
Castle Dale, Utah 84513

Subject: Division Directive and Request for Right-of-Entry Information, Chimney Rock Corp. Chimney Rock/Don 1&2 Mine, S/049/019, Utah County, Utah

Dear Mr. Powell:

It has been brought to the Division's attention that your State lease (SITLA Lease # ML45544) for the referenced site has expired, your contract with the BLM for the purchase of stone from the BLM portion of the site has expired, and that your business license and reclamation bond with Utah County has also expired (which suspends your County authorization to operate at this site). This also places your State (DOGM) authorization in jeopardy.

To resolve this situation and avoid potential enforcement action, you are hereby directed to provide proof of legal right to enter and remove stone from the Chimney Rock/Don 1 & 2 mine by ~~December 23, 2004~~. The proof would normally consist of documentation that your State lease has been renewed, you have a lease or sales contract from the BLM, and that the reclamation bond has been replaced with the County (or a new reclamation bond and Reclamation Contract has been submitted to DOGM).

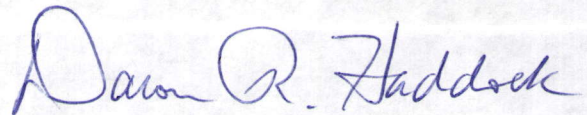
You are further directed to suspend all mining related activities at this site, including the removal of any materials until this matter is resolved. Failure to provide the requested right-of-entry information may result in formal enforcement action and an order to immediately reclaim the site.

January 12, 2005

Stephen Powell
Page 2 of 2
S/049/019
November 19, 2004

Please don't hesitate to call me at (801) 538-5325 or Lynn Kunzler at 538-5310 if you have any questions regarding this letter.

Sincerely,



Daron R. Haddock,
Permit Supervisor
Minerals Regulatory Program

DRH:lk:jb

cc: John Blake, SITLA
Mike Ford, BLM
Peggy Kelsey, Utah County
Mark Mesch, DOGM

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U.S. Postal Service
CERTIFIED MAIL RECEIPT

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JB DOGM S/049/019 11/19/04

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(Endorsement Required)

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12/13/04*

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Recipient's Name (Please Print Clearly) (to be completed by mailer)

STEPHEN POWELL - CHIMNEY ROCK CORP

Street, Apt. No.; or PO Box No.

PO BOX 253

City, State, ZIP+4

CASTLE DALE UT 84513

7099 3400 0016 8896 0419

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
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Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail or Priority Mail.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.